

REMARKS

Applicants request favorable reconsideration and allowance of the application in view of the foregoing amendments and the following remarks.

Claims 7, 8, 14, and 15 are now pending in the present application, with Claim 7 being the only independent claim. Claims 1-6 and 9-13 have been cancelled without prejudice to or disclaimer of the subject matter previously recited therein. Claims 7 and 8 have been amended. Claims 14 and 15 are new. Support for the amendments and the new claims can be found in the throughout the originally-filed disclosure. Accordingly, Applicants submit the amendments and new claims include no new matter.

The Office Action sets forth a restriction requirement and notes that Applicants' Representative orally elected the invention of Claims 3-8 for prosecution in the present application. Applicants hereby confirm this election, and have herein cancelled non-elected Claims 1, 2, and 9-13. Applicants reserve the right, however, to prosecute these claims in one or more divisional applications.

Claims 3 and 4 are rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by Percec et al. ("Molecular Engineering of Liquid-crystalline Polymers by 'Living' Polymerization"). Claims 5-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Percec et al.

Applicants respectfully traverse these rejections. Nevertheless, without conceding the propriety of the rejections and solely to advance prosecution, Applicants have herein cancelled the previous independent Claim 1 and amended Claim 7 into independent form, and further amended Claim 7 to clarify features not disclosed or suggested by Percec et al. Thus, Applicants submit that Claim 7 is allowable over Percec et al. for at least the following reasons.

The Office Action alleges Percec et al. renders obvious, *inter alia*, polymers and copolymers substantially identical to a polymeric compound having a repeating unit represented by formula (4) of the present application.

Applicants respectfully submit, however, that Percec et al. fails to disclose an amphiphilic block polymer with a hydrophobic block segment and a hydrophilic block segment, as recited in amended Claim 7. Moreover, in Applicants' view, nothing in Percec et al. appears to suggest an amphiphilic block polymer with a hydrophobic block segment and a hydrophilic block segment. Accordingly, Applicants submit Percec et al. cannot be understood to anticipate or render obvious Claim 7.

Claims 3-8 are provisionally rejected in the Office Action under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-4 of copending Application No. 11/118,401 (hereinafter "the '401 Application").

Applicants respectfully traverse this rejection. Claim 7 of the present application recites, *inter alia*, that the repeating unit structure represented by the general formula (4) includes "D" as "an aromatic ring in which at least one hydrogen atom attached to the ring is displaced by a fluorine atom." None of the claims of the '401 Application recite such an aromatic ring in which at least one hydrogen atom attached to the ring is displaced by a fluorine atom as part of a repeating unit structure. Accordingly, Applicants submit that the claims of the '401 Application cannot be understood to fully encompass the claims of the present application. Moreover, there has been no showing in the Office Action that it would be obvious to include an aromatic ring in which at least one hydrogen atom attached to the ring is displaced by a fluorine atom in the repeating unit recited in the claims of the '401 Application. Accordingly, Applicants submit that the rejection of the claims of the present application as being obvious in view of the claims of the '401 Application is improper.

For at least the foregoing reasons, Applicants submit the claims of the present application are patentable over Percec et al. and the claims of the '401 Application.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration, withdrawal of the outstanding rejections, and passage to issue of the present application.

Applicants' undersigned attorney may be reached in Washington, D.C. at (202) 530-1010. All correspondence should continue to be directed to the address given below.

Respectfully submitted,

/Donald H. Heckenberg, Jr./

Donald H. Heckenberg, Jr.
Attorney for Applicants
Registration No. 60,081

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
DHH:ayr

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